



# State of Idaho

## Division of Occupational and Professional Licenses

### Idaho Board of Podiatry

**BRAD LITTLE**  
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#### Board Meeting Minutes of 4/5/2023

<b>Board Members Present:</b>	Stewart Jones, DPM - Chair Gary James Millward, DPM Douglas Williams, DPM	<b>Division Staff:</b>	Katie Stewart, Executive Officer Russ Spencer, General Counsel Madysen Crea, Board Support Specialist
<b>Board Members Absent:</b>	Bryan Thompson, DPM Ione Springer, Public Member	<b>Others Present:</b>	Josh Scholer, Division of Financial Management

The meeting was called to order at 3:15 PM by Stewart Jones, DPM.

#### Approval of Minutes

A motion was made and seconded to approve the 1/11/2023 minutes. The motion carried unanimously.

#### DIVISION BUSINESS

**Legislative Session Overview:** The 2023 Legislative session began on January 9, 2023. Ms. Stuart stated that there are 33 bills relating to Health Professions. The only bill affecting Podiatry specifically was HB 4 Uniform Controlled Substance Act which aligns Idaho with the Drug Enforcement Administration's scheduling of new drugs.

**Confidentiality, Conflict of Interest, and Honoria Policies:** Mr. Spencer reviewed the Confidentiality, Conflict of Interest, and Honoria policies with the Board.

**HPRP Update:** Ms. Stuart provided the Board with information on the Health Professional Recovery Program (HPRP). The Board expressed interest in the program and wanted to ensure licensees were informed about its availability to them. Ms. Stuart will send an email informing the Board's licensees of the program's availability to them.

#### BOARD BUSINESS

**Zero-Based Regulation (ZBR):** Ms. Stuart restated the purpose of Zero-Based Regulation. The Board reviewed suggested updates designed to eliminate duplicative or outdated requirements, remove unnecessary barriers, and increase the ease of readability in its administrative rules. Ms. Stuart stated that the language presented has yet to be shared with stakeholders. They will be provided an opportunity to give written or verbal comments at a later date. Ms. Stuart reminded the Board that the decisions made today are not final and that there will be opportunities to discuss these changes at future Board meetings.

Ms. Stuart reviewed the changes the Board approved in their last meeting as follows:  
The Board agreed to combine Rule 500. Standards of the Ethical Practice of Podiatry with Rule 002. Incorporation By Reference;

To strike the following rules to remove redundancy: 010. Definitions and Standards, 151. Professional Education, and 200.02 Educational Certificate Requirement;

And to update Rule 152. Podiatric Residency removing duplicative language and combining Rule 200.04 Residency Certification Requirement with 401.04 Residency.

Ms. Stuart stated that the majority of this Board's ZBR is eliminating duplicative language and restructuring the Rule chapter. Ms. Stuart presented an outline of recommended changes in the following rules:

**Rule 400. Licensure by Examination:** Ms. Stuart recommended the Board strike Rule 400. in its entirety as the Board does not need to outline a passing grade in rule when the exam provider establishes what constitutes passing.

**Rule 401. Licensure by Endorsement:** Ms. Stuart recommended striking language duplicative of Idaho Code § 54-613 and reorganization for clarity. She outlined changes in the following subsections: 401.02 Credentials suggested strike as this rule's substance will be explicitly outlined in the new rule chapter's organization. 401.03 Examination recommended rewording for clarity, and 401.03 subsections (a) and (b) suggested striking and incorporating into 401.03. Additionally, striking Rules 401.05 Practical Experience, 401.06 Continuing Education, and 401.07 Disciplinary Action in their entirety to align with other Health Profession Boards and reorganize the rule chapter for clarity, removing duplicative language of Idaho Code § 54-607 and 54-608.

**Rule 402. Temporary Licenses:** The Board agreed to strike Rule 402. Temporary License in its entirety, as the Board does not grant temporary licenses.

**Rule 410. Original Application:** The Board agreed to strike Rule 410. Original Application in its entirety and adopt an internal policy to maintain original applications for one (1) year.

**Rule 425. Inactive Status:** The Board discussed reinstating a license when a licensee chooses to let licensure lapse compared to reinstatement with an inactive license status. Ms. Stuart explained that the process is identical. The Board agreed to strike Rule 425. Inactive Status in its entirety to align with the other Health Profession Boards.

Ms. Stuart will bring a Reinstatement Policy (educational document) for licensees to the next meeting for the Board's review.

**Rule 450. Scope of Practice:** The Board agreed to the recommended changes in Rule 450. Scope of Practice, which was reworded to align with the other Health Profession Boards. No substantial changes were made affecting the permitted scope of practice.

**Rule 450.02. Advanced Surgical Procedures:** Ms. Stuart recommended rewording Rule 450.02 Advanced Surgical Procedures and asked the Board for guidance regarding the rule's subsections. The Board discussed striking subsections (a)–(f) and moving towards a scope of education, training, and experience. Dr. Millward stated that the Board should permit institutions to develop standards and procedures rather than regulate them in Rule. He also noted that the rule is redundant and already outlined in Idaho Code § 54-602(2).

**Rule 700. Continuing Education:** Ms. Stuart reviewed surrounding states' continuing education (CE) requirements and recommended striking Rules 700.04 Carryover of CE Hours because it is confusing to licensees and 700.05 Special Exemptions, as the Board can grant exceptions at their discretion without having it outlined in rule. Dr. Williams suggested moving to thirty (30) CE credits every two (2) years to align with the surrounding states, which have a two (2) year CE requirement as opposed to the Board's current one (1) year period.

Ms. Stuart explained that the Board should not approve CE but instead require licensees to complete CEs germane to their profession. The Board agreed to the recommended changes in Rule 700. Continuing Education.

Ms. Stuart reminded the Board that they will have one more meeting before July, where she will bring the Board a redlined and clean copy of the entire rule chapter. The Board advised Ms. Stuart that they are in favor of the recommended changes.

**FPMB – Fall Winter Meeting Recap:** Ms. Stuart informed the Board of her attendance at the federation's meeting and that they discussed collaboration, exams, and license verifications.

### **Adjourn**

There being no further business, the meeting was adjourned at 4:03 PM.

**The next meeting is on 05/24/2023.**